

IN RE: PETITIONS FOR SPECIAL HEARING AND SPECIAL EXCEPTION - E/S Slab Bridge Road, 1265' SW of the c/l of Middletown Road (21129 Slab Bridge Road) 6th Election District 3rd Councilmanic District

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 92-48-SPHX

Helen Gebhart  
Petitioner

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special hearing to approve whether or not a special exception for an animal boarding place and riding stable on the subject property is required and if so, a special exception for same in accordance with Petitioner's Exhibit 1. Petitioner also requests a special hearing to approve the transfer of one (1) density unit from Parcel D to Parcel B as depicted on Petitioner's Exhibit 1 for a proposed horse stable and training facility.

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception and a Petition for Special Hearing for the subject property known as 21129 Slab Bridge Road in Freeland, Maryland. Said property consists of a gross area of 58.33 acres zoned R.C. 2 and is improved with a two story dwelling and other accessory farm outbuildings. Petitioner is desirous of establishing a horse stable and training facility on the subject property in accordance with Petitioner's Exhibit 1.

The Petition was filed by Helen S. Gebhart, Legal Owner, by and through her attorney, S. Eric DiNenna, Esquire. Appearing and testifying in support of the Petitions was Linda Dunning, Petitioner's daughter and Lessee of the subject property. Appearing in opposition to Petitioner's request were Dr. William Gentry, W. T. Shaneybrook and Dennis Shaneybrook, nearby residents of the area.

At the onset of the hearing, Counsel for the Petitioner argued that since the property in question constitutes a farm, a special exception is not needed to use the property as an animal boarding place. In the opinion of this Deputy Zoning Commissioner, a special exception is needed for an animal boarding place and riding stable in this particular situation. Therefore, it becomes necessary to address whether the Petitioner has satisfied the requirements of Section 502.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) as that Section applies to the use of the subject property as an animal boarding place and riding stable. The testimony and evidence presented by the Petitioner clearly satisfied the special exception requirements of Section 502.1 of the B.C.Z.R. Those appearing and testifying in opposition to the Petitioners' request were in agreement that the use proposed is a use well-suited for this particular piece of property. Accordingly, the Petitioners' request for a special exception shall be granted.

The next issue to be addressed is the transfer of one (1) density unit from Parcel D to Parcel B. It was with this particular request that the Protestants took exception. Testimony indicated that the subject property is traversed by a Baltimore Gas and Electric Company (BG & E) right-of-way which was transferred to BG & E in 1968 in fee simple as evidenced by a deed dated July 11, 1968 which was presented to this Deputy Zoning Commissioner by Counsel for the Petitioner, S. Eric DiNenna. This right-of-way contains 7.8 acres more or less. Counsel for the Petitioner argued that by virtue of the BG & E easement being granted in fee, the property becomes severed into two parcels, each containing two (2) density units, or a total of four (4). He further requests that one of the density

units from Parcel D south of the BG & E easement be transferred to Parcel B north of the BG & E easement.

In consideration of this argument, it becomes necessary to interpret Section 1A01.3.B.1 of the B.C.Z.R. as that Section applies to this Petitioner's property. That Section deals with the number of density units associated with property zoned R.C. 2 and clearly states as follows:

"In cases where land in single ownership is crossed by existing or proposed roads, rights-of-way or easements, the portions of land on either side of the road, right-of-way or easement shall not be considered separate parcels for the purpose of calculating the number of lots of record with the exception that any zoning petition, site plan, subdivision plan or record plat filed with or approved by the County between November 27, 1979 and October 1, 1990 shall not be so affected and be considered valid, provided as to any zoning petition pending on appeal, that it be upheld on appeal."

After due consideration of the testimony and evidence presented, in the opinion of this Deputy Zoning Commissioner it is clear that this entire parcel of land was in single ownership at the time that the property was crossed by the BG & E right-of-way. I also find that it makes no difference that this particular BG & E right-of-way was granted in fee simple. Counsel for the Petitioner argued that since the subject right-of-way was granted in fee simple, it no longer remains an easement or right-of-way. In my interpretation of this Section, it makes no difference whether the grant is in fee or is merely an easement. This Section clearly prohibits that which the Petitioner is seeking to do in this situation. The Petitioner simply cannot create four (4) density units by virtue of this BG & E right-of-way crossing their property. Accordingly, the Petitioner is only entitled to two (2) density units for the entire parcel of property.

The Petitioner entered into evidence a site plan marked Petitioner's Exhibit 1. This site plan accompanied the instant request for a special exception showing the use as an animal boarding place and riding stable. This site plan also identified four parcels, marked Parcels A, B, C and D, for which the instant Petition for Special Hearing was filed to approve four (4) density units on the subject property. However, the Petitioner left unmarked a vast area of land located predominantly in the center of the entire parcel which must be clarified. Therefore, a new site plan must be submitted to reflect the two density units granted pursuant to this Order, one of which is currently utilized by the existing two-story residence depicted on Petitioner's Exhibit 1. The Petitioner is only entitled to one other density unit for the entire parcel of land.

Pursuant to the advertisement, posting of the property and public hearing on these Petitions held and for the reasons set forth above, the Petition for Special Hearing shall be denied and the Petition for Special Exception granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 17th day of January, 1992 that a special exception for an animal boarding place and riding stable on the subject property is required, and as such, the Petition for Special Hearing is DENIED; and,

IT IS FURTHER ORDERED that the Petition for Special Hearing to approve the transfer of one (1) density unit from Parcel D to Parcel B, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the Petition for Special Exception for an animal boarding place and stable on the subject property, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

#### PETITION FOR SPECIAL HEARING TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 92-48-SPHX

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve.

Whether a Special Exception for Animal Boarding Place and Riding Stable is required: Transfer of one (1) Density Unit from Parcel D to Parcel B

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:	Legal Owner(s):
(Type or Print Name)	Helen S. Gebhart
Signature	Signature
Address	(Type or Print Name)
City and State	Signature
Attorney for Petitioner:	Address
S. Eric DiNenna	20633 Slab Bridge Road
(Type or Print Name)	Freeland, MD 21053
Signature	City and State
409 Washington Ave., Ste. 600	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Towson, MD 21204	S. Eric DiNenna
City and State	409 Washington Ave., Ste. 600
Attorney's Telephone No.: 296-6820	Towson, MD 21204
	City and State
	Attorney's Telephone No.: 296-6820
	City and State
	Attorney's Telephone No.: 296-6820
	City and State

ORDERED By The Zoning Commissioner of Baltimore County, this day of 1992, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the day of 1992, at o'clock M.

Zoning Commissioner of Baltimore County.

Z.C.O.-No. 1

(over)

ORDER RECEIVED FOR FILING

Date 1/17/92

By [Signature]

#### PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 92-48-SPHX

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for Animal Boarding Place and Riding Stable.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:	Legal Owner(s):
(Type or Print Name)	Helen S. Gebhart
Signature	Signature
Address	(Type or Print Name)
City and State	Signature
Attorney for Petitioner:	Address
S. Eric DiNenna	20633 Slab Bridge Road
(Type or Print Name)	Freeland, MD 21053
Signature	City and State
409 Washington Ave., Ste. 600	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Towson, MD 21204	S. Eric DiNenna
City and State	409 Washington Avenue, #600
Attorney's Telephone No.: 296-6820	Towson, MD 21204
	City and State
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	City and State

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Zoning Commissioner of Baltimore County.

Z.C.O.-No. 1

(over)

ORDER RECEIVED FOR FILING

Date 1/17/92

By [Signature]

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) Within sixty (60) days of the date of this Order, Petitioner shall file a revised site plan with the Zoning Commissioner's Office which accurately depicts the two (2) density units granted herein, one of which is already utilized by the existing two-story residence depicted on Petitioner's Exhibit 1.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.
- 4) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order in the event it becomes necessary to do so as a result of a complaint.

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

Suite 113 Courthouse  
409 Washington Avenue  
Towson, MD 21204

(410) 887-4386

January 17, 1992

George A. Breschi, Esquire  
409 Washington Avenue, Suite 600  
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING AND SPECIAL EXCEPTION  
E/S Slab Bridge Road, 1265' SW of the c/l of Middletown Road  
(21129 Slab Bridge Road)  
6th Election District - 3rd Councilmanic District  
Helen S. Gebhart - Petitioner  
Case No. 92-48-SPHX

Dear Mr. Breschi:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Special Exception have been granted in part and denied in part in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

[Signature]

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Ms. Helen S. Gebhart  
104 Daleview Court, Timonium, Md. 21093

Ms. Linda S. Dunning  
20633 Slab Bridge Road, Freeland, Md. 21053

Dr. William D. Gentry  
21031 Slab Bridge Road, Freeland, Md. 21053

Mr. W. T. Shaneybrook  
20734 Slab Bridge Road, Freeland, Md. 21053

People's Counsel; File

92-48-SPHX

Zoning Description  
of  
21129 Slab Bridge Road  
Baltimore County, Maryland  
6/20/91

Beginning for the same at a point were the northeast side of Middletown Road intersects with the centerline of Slab Bridge Road, thence in a Southwesterly direction and binding on or near said centerline of Slab Bridge Road 1265 feet more or less to the place of beginning; thence South 51 degrees 29 minutes 56 seconds East 1439.62 feet; thence South 16 degrees 00 minutes 04 seconds West 1221.00 feet; thence North 79 degrees 47 minutes 49 seconds West 1733.07 feet; thence North 24 degrees 42 minutes 11 seconds East 1789.74 feet; thence North 50 degrees 45 minutes 04 seconds East 216.47 to the place of beginning as recorded in Liber P.H.K., Jr. 6136 folio 060.

Saving and excepting therefrom a B. G. & E. right of way and as described as follows:

Beginning for the same at the beginning of the fourth North 24 degrees 42 minutes 11 second East 1789.74 foot line as previously described in the above description, thence along said fourth line North 24 degrees 42 minutes 11 seconds East 142.16 feet to the place of beginning; thence North 24 degrees 42 minutes 11 seconds East 211.15 feet; thence South 84 degrees 00 minutes 03 seconds East 1696.54 feet; thence South 16 degrees 00 minutes 04 seconds West 203.09 feet; thence North 84 degrees 00 minutes 03 seconds West 1728.99 feet to the place of beginning.



29

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: \_\_\_\_\_ Date of Posting: \_\_\_\_\_  
Posted for: \_\_\_\_\_  
Petitioner: \_\_\_\_\_  
Location of property: \_\_\_\_\_  
Location of Sign: \_\_\_\_\_  
Remarks: \_\_\_\_\_  
Posted by: \_\_\_\_\_ Date of return: \_\_\_\_\_  
Number of Signs: \_\_\_\_\_

CERTIFICATE OF PUBLICATION

TOWSON, MD. Aug 30, 1991

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Aug 29, 1991.

THE JEFFERSONIAN,

S. Eric DiNenna, Esq.

Publisher

300-48429

CERTIFICATE OF PUBLICATION

TOWSON, MD. Aug 30, 1991

THIS IS TO CERTIFY, that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Aug 29, 1991.

TOWSON TIMES,

S. Eric DiNenna, Esq.

Publisher

300-48429

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 92-48-SPHX  
E/S Slab Bridge Road, 1265' SWly c/l Middletown Road  
21129 Slab Bridge Road  
6th Election District  
3rd Councilmanic  
Petitioner(s): Helen S. Gebhart  
Hearing Date: Thursday, October 3, 1991  
at 9:00 a.m.

Special Hearing: to approve whether a special exception for animal boarding place and riding stable is required, and to transfer of one density unit from Parcel D to Parcel B.

Zoning Commissioner of Baltimore County  
TJB:300 August 29



Baltimore County  
Zoning Commission  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Date

Account: P 001 6150  
Number

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning



111 West Chesapeake Avenue  
Towson, MD 21204

AUGUST 13, 1991

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 92-48-SPHX  
E/S Slab Bridge Road, 1265' SWly c/l Middletown Road  
21129 Slab Bridge Road  
6th Election District - 3rd Councilmanic  
Petitioner(s): Helen S. Gebhart  
HEARING: THURSDAY, OCTOBER 3, 1991 at 9:00 a.m.

Special Hearing to approve whether a special exception for animal boarding place and riding stable is required; and to transfer of one density unit from Parcel D to Parcel B.

J. Robert Haines

Zoning Commissioner of Baltimore County

cc: Helen S. Gebhart  
S. Eric DiNenna, Esq.  
Judy and Peter Dunning  
R. Dennis Lewis

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning



111 West Chesapeake Avenue  
Towson, MD 21204

September 25, 1991

S. Eric DiNenna, Esquire  
409 Washington Avenue, Suite 600  
Towson, MD 21204

RE: Item No. 29, Case No. 92-48-SPHX  
Petitioner: Helen S. Gebhart  
Petition for Special Exception and  
Special Hearing

Dear Mr. DiNenna:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE MINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Ms. Helen S. Gebhart  
20633 Slab Bridge Road  
Freeland, MD 21053

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning



111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this 19th day of July, 1991.

Arnold Jablon  
DIRECTOR

Received By:

James E. Dyer  
Chairman  
Zoning Plans Advisory Committee

Petitioner: Helen S. Gebhart

Petitioner's Attorney: S. Eric DiNenna

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: September 4, 1991  
Zoning Administration and  
Development Management  
FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning  
SUBJECT: Helen S. Gebhart, Item No. 29

In reference to the petitioner's request, staff offers the following comment:

This office opposes the proposed transfer of one density unit from Parcel D to Parcel B. The request is in conflict with the purposes and intent of Section 1A01 of the Baltimore County Zoning Regulations. Specifically, the proposed transfer conflicts with the provisions for density as outlined in Section 1A01.3.B.1 of the B.C.Z.R. This transfer would do nothing to further potential agricultural capacity or access; its sole purpose is to regain a density unit that was restricted by an earlier transaction.

The Office of Planning and Zoning offers no opinion regarding the request for a riding stable and animal boarding place.

If this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/rdn  
ITEM29/TXTROZ



Witness: \_\_\_\_\_ by Helen Gebart

Terms, Conditions and Limitations Governing  
the Property of the  
Baltimore Gas & Electric Company

- Access to and from the Grantor's facilities must be maintained at all times. If existing access to and along the Grantor's fee simple and/or easement right of way or access to the Grantor's facilities is denied due to the Grantee's construction, the Grantee will provide temporary access during construction and permanent access thereafter or reimburse the Grantor for access obtained by the Grantor after prior approval by the Grantee of said cost (and where applicable, the approval of other governmental agencies). Where any access road is relocated and/or disturbed, the road shall be thoroughly compacted and restored to a condition equal to or better than its present condition.
- No blasting will be permitted within the Grantor's right of way and/or within forty (40) feet of the Grantor's facilities without prior approval and under arrangements satisfactory to the Grantor. The Grantor shall be fully reimbursed in the event any damages occur as the result of such operations. The Grantor must be notified as provided for in Section 13 at least five (5) working days in advance of any blasting in the vicinity of the Grantor's right of way in order that it may arrange to have a representative on the job site.
- The Grantee, at its expense, will protect and support all Grantor's facilities, install sheathing, and air ram the back fill of excavations including the use of select back fill materials as directed by the Grantor's representative, in order to avoid settlement which may result from Grantee's construction.  
Hand excavation shall be required when working within three (3) feet of any of Grantor's underground facilities.
- Should any rearrangement, repairs, replacement, modification or protection of Grantor's existing or planned facilities be necessitated by the construction of the Grantee, as determined by the Grantor, the Grantee will reimburse the Grantor for such expense incurred. However, prior to performing such work, Grantor will notify Grantee of the estimated cost and will wait for instructions from Grantee to proceed. It is agreed that should such work be required, the Grantor will be given an adequate and reasonable amount of time within which to complete said work.
- Every precaution, including the grounding of the Grantee's equipment and materials must be used while working near the Grantor's facilities. Under no circumstances should the Grantee's equipment maintain less than twenty (20) feet clearance from any overhead transmission wires or less than ten (10) feet clearance from any other overhead electric wires. In addition to these clearances required by the Grantor, the Grantee, its employees, agent, and contractors shall be subject to and must comply with those applicable provisions of the High Voltage Line Act, Maryland Code Article 89 Sections 58 through 62, as amended from time to time, and the Occupational Safety and Health Act Standards contained in Title 29 CFR Parts 1910 and 1926 which were also adopted by the State of Maryland.

DiNENNA AND BRESCHI  
ATTORNEYS AT LAW

5 ERIC DINENNA, P.A.  
GEORGE A. BRESCHI, P.A.

FRANCIS X. BORGERDING, JR.,  
JULIA M. BORGERDING, JR.  
JAMES M. BORGERDING, JR.

November 7, 1991

Timothy Kotroco  
Deputy Zoning Commissioner  
for Baltimore County  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

RE: My Client: Helen S. Gebhart  
Case No.: 92-48-SPHX  
Location: Slab Bridge Road

Dear Mr. Commissioner:

Per your request, enclosed herewith please find two Deeds relative to the above-captioned matter and my client's request for a transfer of density in the R. C. 2 zone concerning the above-captioned matter.

I would first like to refer you to the Deed of July 11, 1968 wherein the previous owner, Masemore, conveyed to the Baltimore Gas and Electric Company shown on a plat and containing 7.8 acres of land more or less, in fee. Please refer to page three of said Deed per that reference.

Also enclosed herewith please find a Deed from John C. Masemore and Dorothy Masemore, his wife, to my client, Helen S. Gebhart, a copy of which is attached hereto wherein the subject property was conveyed to my client "Saving and excepting..." that property conveyed per the above-mentioned Deed and containing 7.8 acres of land, in fee.

I am cognizant of the regulation that was stated at the hearing and discussed. I refer you to Section 1A01.38.1, wherein the regulation states "In cases where land in single ownership is crossed by existing or proposed roads, rights-of-way or easements, the portions of land on either side of the road, right-of-way or easement, shall not be considered separate parcels of record with the exception that any zoning petition site plan, subdivision plan or record plat filed with or approved by the County between November 27, 1979 and October 1, 1990 shall not be so affected and be considered valid, provided as to any

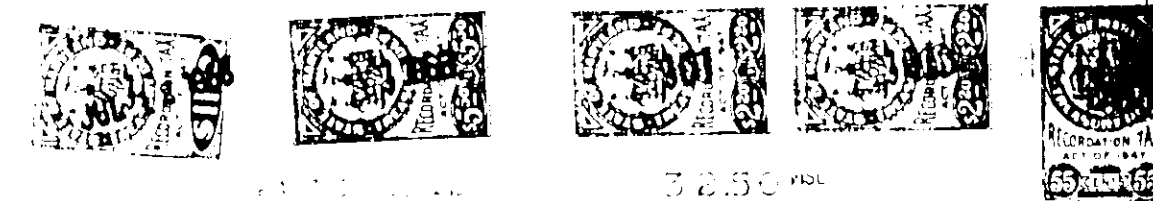
LIBER 4898 PAGE 208

THIS DEED, Made this 11<sup>th</sup> day of July, in the year one thousand nine hundred and sixty-eight, by and between ZEBERT C. MASEMORE, widower, of Baltimore County, State of Maryland, party of the first part, and BANKERS TRUST COMPANY, a corporation of the State of New York, Trustee, party of the second part, and BALTIMORE GAS AND ELECTRIC COMPANY, a corporation of the State of Maryland, party of the third part.

WHEREAS, the said party of the third part, by its original indenture dated February 1, 1919, and recorded among the Mortgage Records of Baltimore County in Liber V.P.C. No. 555, folio 1, etc., and twenty-nine (29) indentures supplemental thereto, the last being dated August 1, 1967, and recorded among the Land Records of Baltimore County in Liber O.T.G. No. 4791, folio 361, etc., conveyed to the said party of the second part, Trustee, for the uses and purposes therein set forth, all the property of the said Baltimore Gas and Electric Company then owned or thereafter to be acquired by it; and

WHEREAS, in order to vest the title to the property hereinafter described in the said party of the second part, as Trustee under said original indenture dated February 1, 1919, and indentures supplemental thereto, it is now proposed to grant and convey the property hereinafter described directly to the said party of the second part, as such Trustee, and to the said party of the third part, subject, in all respects, to the right, title and interest of the said party of the second part, as such Trustee.

NOW, THEREFORE, THIS DEED WITNESSETH: That in consideration of the sum of Five (\$5.00) Dollars, and other valuable considerations, this day paid, receipt whereof is hereby acknowledged, the said party of the first part do hereby grant and convey unto the said Bankers Trust Company, Trustee under the aforesaid original indenture dated February 1, 1919, and indentures supplemental thereto, and its successors in said trust, for the uses and purposes and with the trusts in said indentures set forth, and, subject to the interest and estate so vested in Bankers Trust Company, Trustee, unto the said Baltimore Gas and Electric Company, its successors and assigns, in fee simple, all the parcel of land situate in the Sixth Election District of Baltimore County, State of Maryland, 200 feet wide, the center line of which is described as follows:



LIBER 8909 PAGE 602

DEED

THIS DEED, made this 1st day of May, 1990 by and between HELEN S. GEBHART (the "Grantor"), and LINDA S. DUNNICK, HOWARD D. COLLIAM, III, and SHALE D. STILLER, Trustees of the Helen S. Gebhart Trust established in Maryland on April 24, 1990 (collectively the "Grantees")

WITNESSETH, THAT FOR NO CONSIDERATION, the Grantor hereby grants and conveys to the Grantees and the Grantees's successors and assigns, in fee simple, all of that land situate and lying in Baltimore County, Maryland, which is further described as follows:

BEGINNING for the same at a bounded hickory tree and running thence South 80 15-1/4 degrees East 105-4/10 perches to a Stone North 15-3/4 degrees East 74 perches to a Stone North 52-3/4 degrees West 87-1/4 perches to a Stone South 10 degrees West 12-3/4 perches to a Stone Still South 24-1/2 degrees West 109-2/10 perches to the first place of beginning; containing fifty eight acres and Eighty Seven perches of land more or less.

BEING the same lot of ground which by Deed dated May 1, 1990, and recorded on May 7, 1990, among the Land Records of Baltimore County in Liber 8472, folio 769, was granted and conveyed to the Grantor by John C. Masemore and Dorothy Lavin Masemore, his wife, as follows:

SAVING AND EXCEPTING, all that lot or parcel of ground which by Deed dated July 11, 1968 and recorded among the Land Records of Baltimore County in Liber O.T.G. No. 4898, folio 208, was granted and conveyed by Zebert C. Masemore, Widower, to Bankers Trust Company, and Baltimore Gas and Electric Company, containing 7.8 acres, more or less,

SUBJECT TO an Option for a Nanhole Access Road Easement dated May 25, 1972 and recorded among the Land Records of Baltimore County in Liber W.J.R. No. 3733, folio 532, granted and conveyed by Zebert C. Masemore to the American Telephone and Telegraph Company of Baltimore City,

SUBJECT TO an Option for a Nanhole Access Road Easement dated May 25, 1972 and recorded among the Land Records of Baltimore County in Liber W.J.R. No. 3733, folio 532, granted and conveyed by Zebert C. Masemore to the American Telephone and Telegraph Company of Baltimore City,

LIBER 8909 PAGE 602

TRANSFER TAX NOT REQUIRED  
BALTIMORE COUNTY MARYLAND  
Per [Signature]  
Date 8-30-91 Sec 33-137

File No.: FCB-5034-90

DEED

FROM

JOHN C. MASEMORE and  
DOROTHY LAURA MASEMORE, his wife.

TO

HELEN S. GEBHART

21129 Slab Bridge Road

Block No. ....

Received for Record, 19.....

at ..... o'clock ... M. Same day recorded

in Liber ..... No. .... Folio ..... &c.,

one of the Land Records of .....

....., and examined per

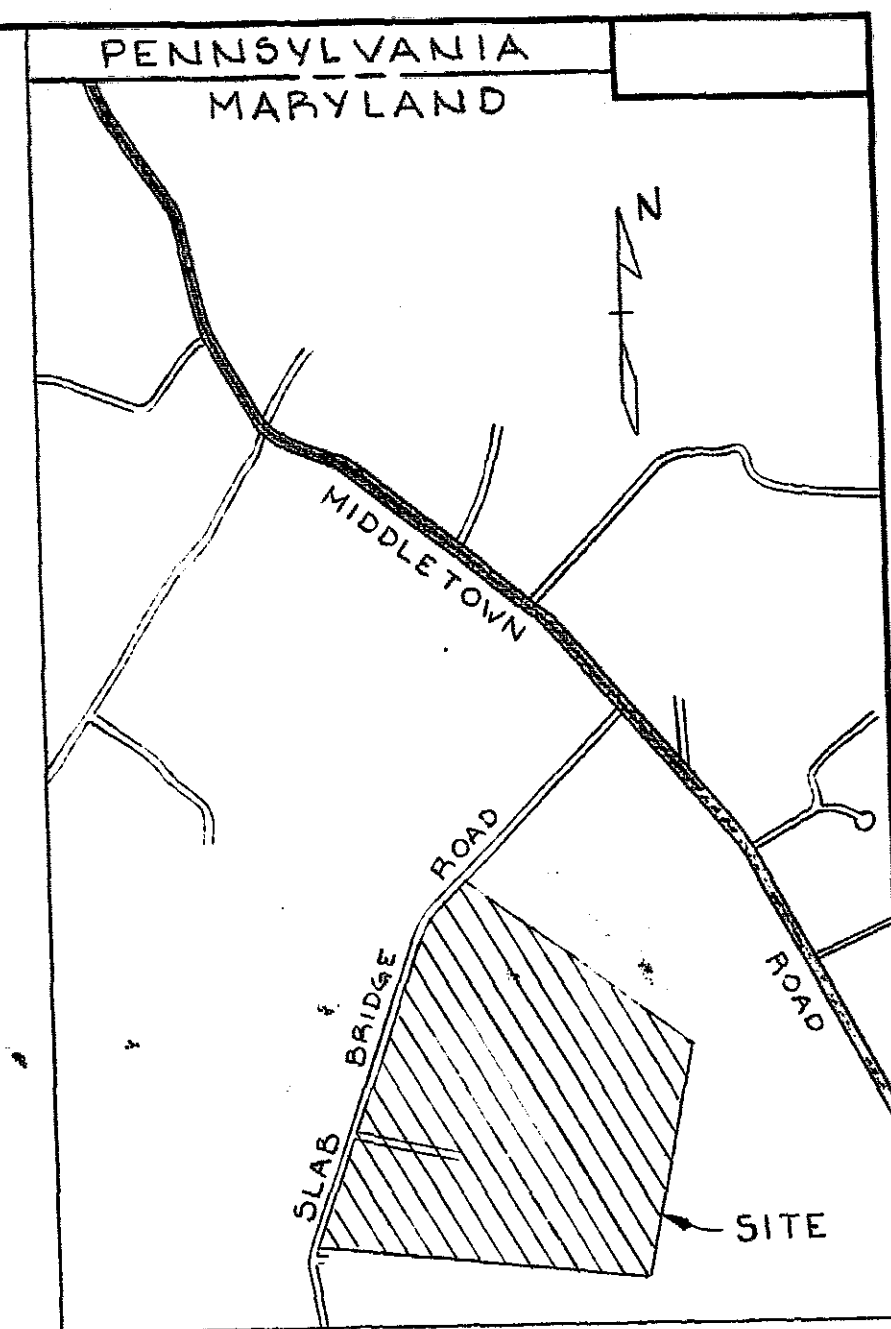
....., Clerk.

Cost of Record, \$.....

PLEASE RETURN TO:  
Jerry S. Sopher, P.A.  
913 South Charles Street  
Baltimore, Maryland 21230  
(301) 837-0022

THE DAILY RECORD CO. BALTIMORE MD. 21202





VICINITY MAP  
1" = 1000'

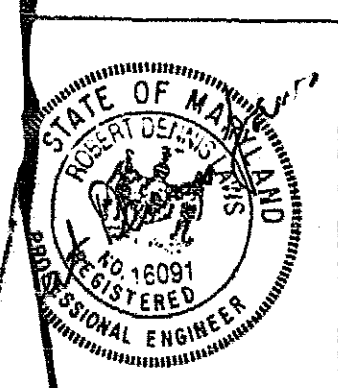
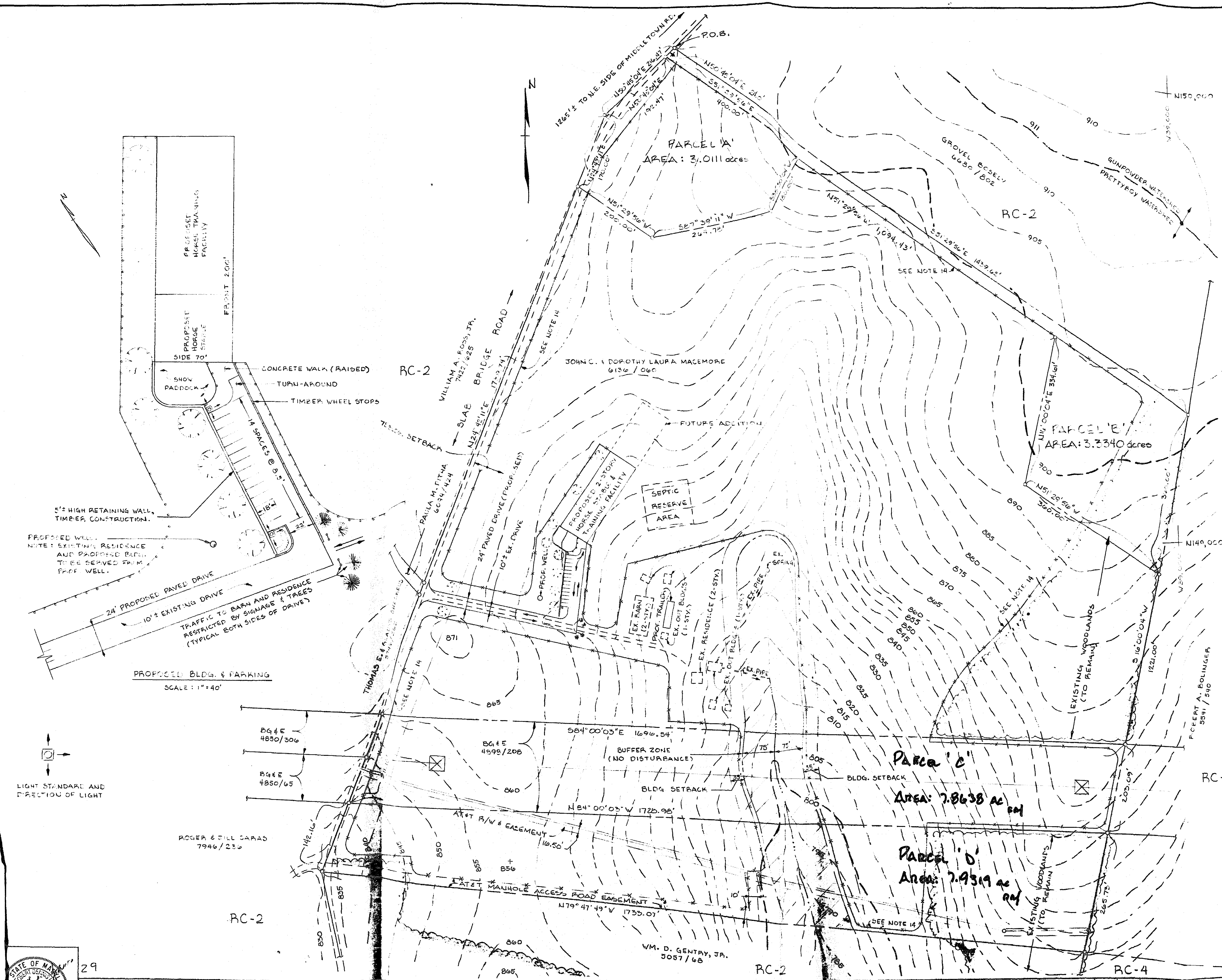
# NOTES

1. ELECTION DISTRICT: 6
2. COUNCILMANIC DISTRICT: 3
3. GROSS AREA: 58.35 AC
4. NET AREA: 54.4 AC
5. ZONING: RC-2
6. AMENITY OPEN SPACE: NONE REQUIRED
7. WATER SERVICE / HYDRANTS: NONE IN VICINITY
8. FAYING TYPE: FITTNESS CONCRETE
9. TYPICAL PARKING SPACE: 5.5' x 15.0'
10. ALL PARKING SPACES TO BE PERMANENTLY STRIPPED
11. ALL STRUCTURES AND USES WITHIN 200' ARE SHOWN
12. NO PRICE ZONING HEARINGS FOR SITE
13. ADDRESS: 2128 SLAB BRIDGE RD. FREELAND, MARYLAND 21055
14. PROPOSED FENCING: FENCING SHOWN IS MAXIMUM EXTENT OF PERIMETER FENCE. INTERIOR AREAS WILL BE DIVIDED & FENCED INTO 5 AC PASTURES.
15. REFERENCE SURVEY BY: KENNETH J. VON, INC. P.O. BOX 28426 BALTIMORE, MD 21205-0426 4/26/00

PETIT R'S  
EXHIB. 1

92-48-SPHX

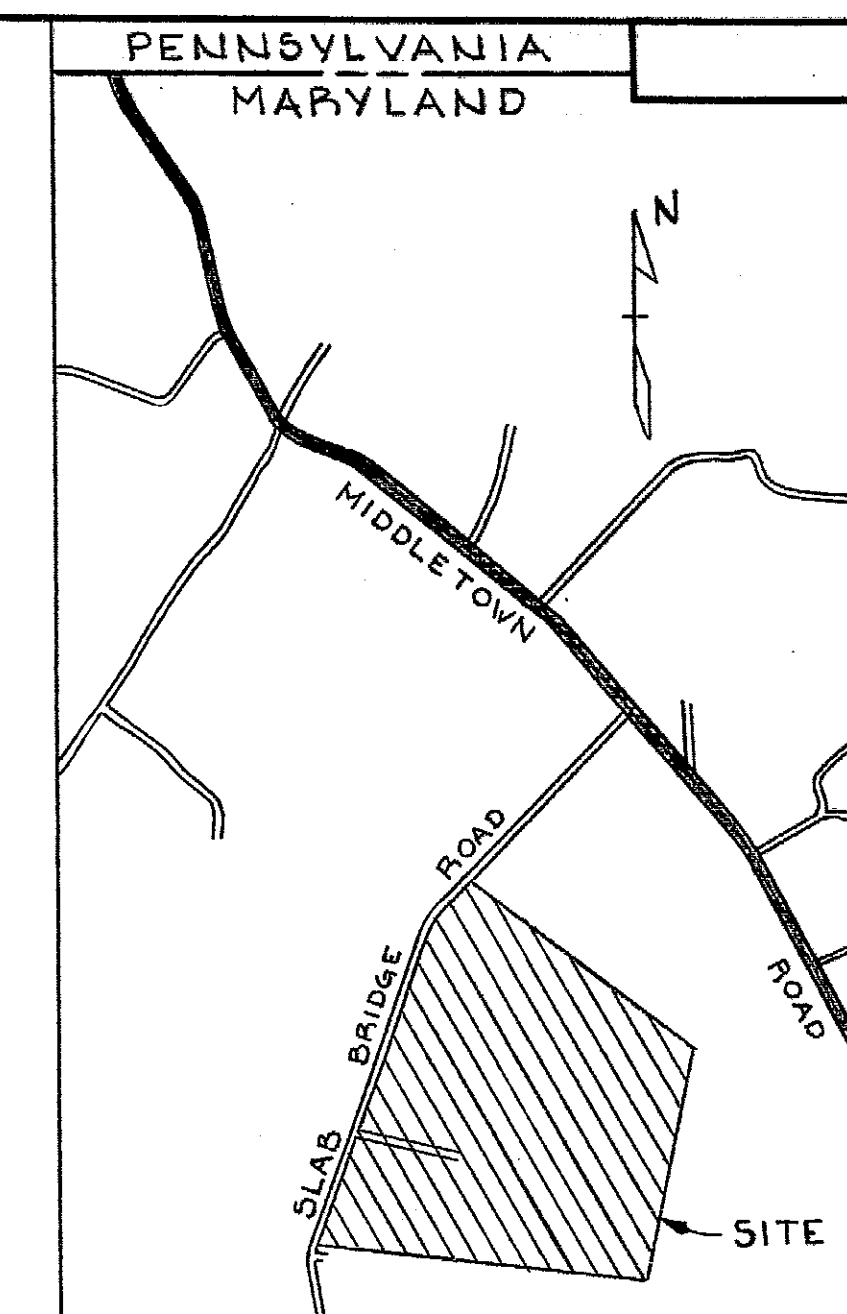
BY DESIGN, LTD.	
SCALE: 1" = 100'	APPROVED BY: _____
DATE: _____	DRAWN BY: RDL
SITE PLAN	
NO. DATE	REVISIONS
3 1/24/01	PAUSE BOUNDARY METES & BOUNDS
2 1/24/01	UPDATE BOUNDARY METES & BOUNDS
1 1/24/01	ADD UP DATE SURVEY INFO
NO. DATE	REVISIONS
BY	DY
DRAWING NUMBER C-1	



29  
R. D. LAWS & ASSOCIATES  
Engineers - Project Managers  
1401 William Street  
Baltimore, Maryland 21230  
(301) 385-1327

MASTER FORM MP 130





VICINITY MAP  
1" = 1000'

# NOTES

- ELECTION DISTRICT: 6
- COUNCILMANIC DISTRICT: 3
- GROSS AREA: 58.33 AC
- NET AREA: 54.4 AC
- ZONING: RC-2
- AMENITY OPEN SPACE: NONE REQUIRED
- WATER SERVICE/HYDRANTS: NONE IN VICINITY
- PAVING TYPE: BITUMINOUS CONCRETE
- TYPICAL PARKING SPACE: 8.5' x 18.0'
- ALL PARKING SPACES TO BE PERMANENTLY STRIPED.
- ALL STRUCTURES AND USES WITHIN 200' ARE SHOWN.
- NO PRIOR ZONING HEARINGS FOR SITE.
- ADDRESS: 21129 SLAB BRIDGE RD. FREELAND, MARYLAND 21053
- PROPOSED FENCING: FENCING SHOWN IS MAXIMUM EXTENT OF PERIMETER FENCE. INTERIOR AREAS WILL BE DIVIDED & FENCED INTO 5AC PASTURES.
- REFERENCE SURVEY BY: KENNETH J. VELS, INC. P.O. BOX 24443 BALTIMORE, MD 21204 (301) 465-3242 6/26/90
- DRAWN BY: HELEN S. GEEHART 104 DALEVIEW CT. TIMONIUM, MD 21093

# B&E R/W BEARINGS

6	9	N24° 42' 11.00" E	353.31'
9	5	S 84° 00' 02.927" E	1696.53' P.O.B.
5	4	S 16° 00' 04.00" W	203.09'
4	7	N 84° 00' 02.385" W	1728.97'
7	9	N 24° 42' 11.00" E	211.15'

# BEARING TABLE

1	2	S 51° 29' 55.943" E	1439.02'
2	5	S 16° 00' 04.00" W	1221.00'
5	6	N 79° 47' 49.00" W	1733.07'
6	8	N 24° 42' 11.00" E	1739.74'
8	1	N 50° 45' 04.00" E	2116.47'
58.3347 ACRES			
PARCEL 1A			
16	10	S 50° 45' 04.00" W	191.91'
10	21	S 24° 42' 11.00" W	420.00'
21	22	S 66° 17' 49.00" E	120.00'
22	23	N 23° 17' 49.00" E	160.50'
23	24	N 24° 42' 11.00" E	420.26'
24	25	N 51° 29' 56.00" W	153.05'
50.055 ACRES			
PARCEL 1E			
1	2	S 51° 29' 55.943" E	1439.02'
2	5	S 16° 00' 04.00" W	1221.00'
5	6	N 79° 47' 49.00" W	1733.07'
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50.055 ACRES			



R.D. LAWS & ASSOCIATES, INC.  
PROFESSIONAL ENGINEERS  
P.O. Box 24443  
Baltimore, Maryland 21204  
(410) 635-3710

# SITE PLAN

PROJECT NO.	DATE
DESIGNED BY	DATE
CHECKED BY	DATE
APPROVED BY	DATE
DRAWN BY	DATE
REVISIONS	
NO.	DATE
DESCRIPTION	





00 - SE  
00 - NE

1988 COMPREHENSIVE ZONING MAP  
Adopted by the Baltimore County Council  
Oct. 13, 1988  
Ord. Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.  
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS  
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

*Dale J. Velt*  
Chairman, County Council

# BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

SCALE	LOCATION	SHEET
1" = 200' ±	WEST OF RUHL	N.W.
DATE OF PHOTOGRAPHY JANUARY 1986		38-G

**92-48-SPHX**

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

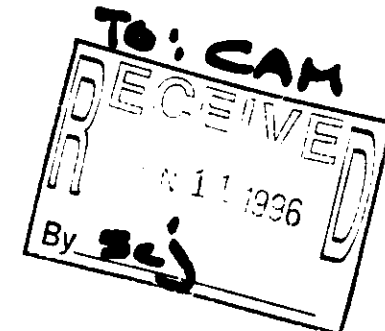
To: DPZ - Development Review (3) - Mr. McDaniel  
✓PDM - Zoning Review - Mr. Richards  
PDM - House Numbers & Street Names - Mr. Putty  
PDM - DPR (2) - Mr. Obero  
PDM - Real Estate - Mr. S. Houk  
DEPRM - PDR - Mr. Seeley (2)  
DEPRM - PDR - Mr. Wirth  
DEPRM - EIR - Ms. Farr  
Rec & Parks - Mr. Grossman  
Fire Dept - Capt. Paul - 1102F  
SHA Mr. Small - (3)  
Solid Waste Management - Mr. Weiss  
C & P - Mr. Butcher

DATE: June 7, 1996

From: Darryl Putty

Subject: Project Name: GEBHART PROPERTY  
Minor Sub No. ~~96-092-M~~ 21129 SLAB  
District: 8C3 BRIDGE ROAD  
Engineer: GERHOLD, CROSS & ETZEL LTD.  
Phone No.: (410) 823-4470

Action: Minor Subdivision Review



#96-092-M  
corrected # per  
Darryl 6/11/96 scj

Please review the attached plan for compliance with current regulations and return comments to this office by  
JUNE 28, 1996. If you have no comments or do not need to review this plan, please indicate by placing your initials here

Please initial here if your agency requests the Office of Law, Real Estate, to acquire

<input type="checkbox"/> HIGHWAY WIDENING	<input type="checkbox"/> FOREST BUFFER
<input type="checkbox"/> GREENWAY	<input type="checkbox"/> FLOODPLAIN
<input type="checkbox"/> DRAIN/UTILITY EASEMENT	<input type="checkbox"/> PUBLIC WORKS AGRMT
<input type="checkbox"/> FOREST CONSERVATION	<input type="checkbox"/> NONE OF THE ABOVE

MINORSUB.DOT

GEBHART PROPERTY  
21129 Slab Bridge Road  
96-092-M

Minor Subdivision Review  
Plan Date: 5/30/96  
Comments Due: 6/28/96  
Comments Date: 6/24/96  
Comments Typed: 6/24/96

As was indicated by general note 20, this property was subject in zoning case #92-48-SPHX.

Indicate on the plan what the request was, what was denied, what was granted, and all restrictions. Clearly indicate the status of the special exception (has it been substantially used within the expiration time?).

The commissioner's order clearly indicated that there were two dwelling rights on this property. One was shown on the SPX plan. The minor plan indicates two dwellings - how was this approved? and does it count as one of the building rights?

When the above questions are answered, additional comments may be generated.

Any requests for further information from the Zoning Office must include a reference to the minor subdivision file #96-092-M written correspondence or revised plans must be accompanied by a copy of these comments.

CATHERINE A. MILTON  
Planner I, Zoning Review

CAM:scj

c: zoning case #92-48-SPHX